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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *08 August 2007*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-6,8,9 and 20-40* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-6,8,9 and 20-40* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to amendment

1.   This action is in response to the amendment filed on 08/08/2007.

2.   The objection to specification due to update the status (pending, allowed, etc.)
of all parent priority applications in the first line of the specification is withdrawn in
view of Applicant's amendment to specification.

3.   The objection to claims 1 and 17 is withdrawn in view of Applicant's amendment
to specification.

4.   Claims cancelled by the Applicants: 7, 10-19.

5.   Claims amended by the Applicants: 1-6 and 8-9.

6.   New claims added by the Applicants: 20-40.

7.   Claims 1-6, 8, 9, 20-40 are pending.

Response to Arguments

8.   Applicant's arguments with respect to claims have been considered but are moot
in view of the new ground(s) of rejection.

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in
this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Claim Objections

10.   Claims 28, 36, 39-40 objected to because of the following.

    a.   Claim 28 is objected because it is depending on itself (28). Examiner

interprets that it is dependent on the independent claim 27.

    b.   Claim 36 is objected because the acronym "WLAN" should be

accompanied with its full form.

    c.   Claim 39 is objected because the acronym "USB" should be accompanied

with its full form.

    d.   Claim 40 is objected because the acronym "WLAN" and "USB" should be

accompanied with its full form.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

11.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

12.   Claim 35 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with

the enablement requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to enable one skilled in the art to which it

pertains, or with which it is most nearly connected, to make and/or use the invention.

More particularly, the limitations "software stored in the memory component to install or

to run on the host computer is *a Bluetooth application software*".

13.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14.   Claim 1, 35 and 40 rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claim 1 recites the limitation "flash drive integrated circuit memory" in line 3 of

the claim which should have been "integrated circuit flash drive memory". There is

insufficient antecedent basis for this limitation in the claim.

See MPEP 7.35.01 Trademark or Trade Name as a Limitation in the Claim

Claims 35 and 40 contain the trademark/trade name BLUETOOTH or Bluetooth.

Where a trademark or trade name is used in a claim as a limitation to identify or

describe a particular material or product, the claim does not comply with the

requirements of 35 U.S.C. 112, second paragraph. See Ex parte Simpson, 218 USPQ

1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name

cannot be used properly to identify any particular material or product. A trademark or

trade name is used to identify a source of goods, and not the goods themselves. Thus,

a trademark or trade name does not identify or describe the goods associated with the

trademark or trade name. In the present case, the trademark/trade name is used to

identify/describe "a short range wireless specification" and, accordingly, the

identification/description is indefinite.

Claim Rejections - 35 USC § 103

15.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented
> and the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

16.   Claims 1-6, 8-9, and 20-40 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Publication No. 2003/0046447 to Kouperchliak et al.

(hereinafter, Kouperchliak) in view of US Publication No. 2002/0145632 to Shmueli

et al. (hereinafter, Shmueli).

Per claim 1:

Kouperchliak discloses:

a controller for controlling interaction between the flash drive integrated circuit memory device and the host computing device (paragraph [0006] "...functional devices connectable to a computer host via an interface,....");
a memory component storing arbitrary application software operable on the host computing device (paragraph [0006] "...the computer host having a computer operating system comprising a mass storage device...").

Kouperchliak does not explicitly disclose autorun software stored on the integrated circuit memory device to install or to run the arbitrary application software on the host computing device automatically upon activation of the integrated circuit memory device with the host computing device.

However, Shmueli discloses in an analogous computer system autorun software stored on the integrated circuit memory device to install or to run the arbitrary application software on the host computing device automatically upon activation of the integrated circuit memory device with the host computing device (paragraph [0007] "a portable device containing software capable of automatically executing on the host computing device in association with a computing session and provide an interface frame for display on the host computing device...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of autorun software stored on the integrated circuit memory device to install or to un the arbitrary application software on the host computing device automatically upon activation of the integrated

circuit memory device with the host computting computing device as taught by Shmueli
into the method of automatic software/driver installation of a stored within the device as
taught by Kouperchliak. The modification would be obvious because of one of ordinary
skill in the art would be motivated to autorun software stored on the integrated circuit
memory device to install or to un the arbitrary application software on the host
computing device automatically upon activation of the integrated circuit memory device
with the host computing device to allow access and control of the mobile device as
suggested by Shmueli ((paragraph [0005]).

Per claim 2:

The rejection of claim 1 is incorporated and further, Kouperchliak discloses:

The integrated circuit flash drive memory device of claim 1 in which the autorun
software is embedded in the controller (paragraph [0022] "...a computer using an
operating system having an automatic installation procedure...").

Per claim 3:

The rejection of claim 1 is incorporated and further, Kouperchliak does not explicitly
discloses the integrated circuit flash drive memory device of claim 1 in which the
memory component includes a protected memory component and selected software is
stored in the protected memory component and in which to the selected software is
accessible by the autorun software upon authentication of the autorun software.

However, Shmueli discloses in an analogous computer system the memory component includes a protected memory component and selected software is stored in the protected memory component and in which to the selected software is accessible by the autorun software upon authentication of the autorun software (paragraph [0011] "...the software on the portable device may provide an authentication routine instructing the host computing device to receive authentication indicia from the user via an interface on the host...determine if the authentication indicia received from the user matches authentication indicia stored on the portable device...user must be authenticated...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of the memory component includes a protected memory component and selected software is stored in the protected memory component and in which to the selected software is accessible by the autorun software upon authentication of the autorun software as taught by Shmueli into the method of automatic software/driver installation of a stored within the device as taught by Kouperchliak. The modification would be obvious because of one of ordinary skill in the art would be motivated to securely store the software in a protected area to provide privacy and security issues associated with computing on multiple computing devices on commercial and personal levels as suggested by Shmueli ((paragraph [0005]).

Per claims 4:

The rejection of claim 1 is incorporated and further, Kouperchliak does not explicitly discloses the integrated circuit flash drive memory device of claim 1 in which the autorun software further runs the arbitrary software on the host computing device upon installing the arbitrary software.

However, Shmueli discloses in an analogous computer system the autorun software further runs the arbitrary software on the host computing device upon installing the arbitrary software (paragraph [0007] "a portable device containing software capable of automatically executing on the host computing device in association with a computing session and provide an interface frame for display on the host computing device...").

The feature of the autorun software further runs the arbitrary software on the host computing device upon installing the arbitrary software would be obvious for the reasons set forth in the rejection of claim 1.

Per claim 5:

The rejection of claim 1 is incorporated and further, Kouperchliak discloses:

The integrated circuit flash drive memory device of claim 1 further comprising a user operable manual switch that allows a user to select from among plural operating states that include a first state in which the autorun software is operable and a second state in which the autorun software is not operable so that the integrated circuit flash drive memory device functions as a conventional integrated circuit flash drive memory device (paragraph [0037] "...Within the memory is preferably stored a series of device-related

software items, each one appropriate to a different operating system or version...

provided one or more configuration files allowing the peripheral device to be configured

in different ways either selectable by the user or by the software").

Per claim 6:

The rejection of claim 5 is incorporated and further, Kouperchliak discloses:

The integrated circuit memory device of claim 5 in which the user operable manual

switch allows a user to select from among more than two operating states (paragraph

[0037] "...Within the memory is preferably stored a series of device-related software

items, each one appropriate to a different operating system or version... provided one

or more configuration files allowing the peripheral device to be configured in different

ways either selectable by the user or by the software").

Per claim 8:

The rejection of claim 1 is incorporated and further, Kouperchliak discloses:

The integrated circuit flash drive memory device of claim 1 further comprising a

connection that is connectable to a Universal Serial Bus port (paragraph [0006] "...load

primary function software which performs the primary function from the USB device onto

the computer host").

Per claim 9:

The rejection of claim 1 is incorporated and further, Kouperchliak discloses:

The integrated circuit flash drive memory device of claim 1 in which the controller and

the memory component operate together as a storage device to the host computing

device (paragraph [0007] "...the mass storage device emulator residing on the

functional device and being operative in conjunction with an operating system having a

mass storage device driver with an autoplay feature...").

Claim 20 is the computer products claim corresponding to computer product claims

1 and 3 and rejected under the same rational set forth in connection with the

rejection of claims 1 and 3 above.

Claims 21-26 is the computer product claim corresponding to computer product

claims 2-8 and rejected under the same rational set forth in connection with the

rejection of claims 2-8 above.

Claim 27 is the computer products claim corresponding to computer product claims

1 and 5 and rejected under the same rational set forth in connection with the

rejection of claims 1 and 5 above.

Claim 28-32 is the computer product claim corresponding to computer product

claims 2, 3, 6, 8, and 38 and rejected under the same rational set forth in

connection with the rejection of claims 2, 3, 6, 8, and 38 above.

Per claim 33:

a controller for controlling interaction between the integrated circuit

wireless device and the host computing device (paragraph [0006] "...functional devices

connectable to a computer host via an interface,...");

a wireless component for enabling the host computing device wireless

connectivity with the wireless component (paragraph [0006] "...the computer host

having a computer operating system comprising a mass storage device...");

a memory component for storing wireless application software operable on

the host computing device (paragraph [0006] "...the computer host having a computer

operating system comprising a mass storage device...").

Kouperchliak does not explicitly disclose autorun software stored on the integrated

circuit wireless device to install and or to run the wireless application software on the

host computing, device automatically upon activation of the integrated circuit wireless

device with the host computing device; wherein the memory component includes a

protected memory component where the wireless application software is stored so as

not to be viewable and is accessible only by the autorun software during installation or

running of the wireless application software, thereby providing copy protection of the

wireless application software, and the device is wireless device.

However, Shmueli discloses in an analogous computer system autorun

software stored on the integrated circuit wireless device to install and or to run the

wireless application software on the host computing, device automatically upon

activation of the integrated circuit wireless device with the host computing device

(paragraph [0007] "a portable device containing software capable of automatically executing on the host computing device in association with a computing session and provide an interface frame for display on the host computing device..."); wherein the memory component includes a protected memory component where the wireless application software is stored so as not to be viewable and is accessible only by the autorun software during installation or running of the wireless application software, thereby providing copy protection of the wireless application software (paragraph [0011] "...the software on the portable device may provide an authentication routine instructing the host computing device to receive authentication indicia from the user via an interface on the host...determine if the authentication indicia received from the user matches authentication indicia stored on the portable device...user must be authenticated..."), and the device is wireless device (paragraph [0033] "FIG. 2C depicts a wireless communication device 10C, such as a transponder, capable of facilitating wireless communications with the host 12").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of autorun software stored on the integrated circuit wireless device to install and or to run the wireless application software on the host computing, device automatically upon activation of the integrated circuit wireless device with the host computing device; wherein the memory component includes a protected memory component where the wireless application software is stored so as not to be viewable and is accessible only by the autorun software during installation or running of the wireless application software, thereby providing copy

protection of the wireless application software, and the device is wireless device as

taught by Shmueli into the method of automatic software/driver installation of a

stored within the device as taught by Kouperchliak. The modification would be

obvious because of one of ordinary skill in the art would be motivated to autorun

software stored on the integrated circuit wireless device to install and or to run the

wireless application software on the host computing, device automatically upon

activation of the integrated circuit wireless device with the host computing device;

wherein the memory component includes a protected memory component where the

wireless application software is stored so as not to be viewable and is accessible only

by the autorun software during installation or running of the wireless application

software, thereby providing copy protection of the wireless application software, and the

device is wireless device to allow access and control of the mobile device as

suggested by Shmueli ((paragraph [0005]).

Per claim 34:

The rejection of claim 33 is incorporated and further, Kouperchliak discloses:

34. (New) The integrated circuit wireless device of claim 33 in which the

connection between the integrated circuit wireless device with the host

computing device is a Universal Serial Bus connection and the controller is a

Universal Serial Bus controller (paragraph [0006] "...load primary function software

which performs the primary function from the USB device onto the computer host").

Per claim 35

The rejection of claim 33 is incorporated and further, Kouperchliak does not

specifically disclose the wireless component is a Bluetooth component and the

wireless application software stored in the memory component to install or to run on the

host computer is a Bluetooth application software.

However, Shmueli discloses in an analogous computer system the wireless

component is a Bluetooth component and the wireless application software stored in the

memory component to install or to run on the host computer is a Bluetooth application

software (paragraph [0033] "FIG. 2C depicts a wireless communication device 10C, such as

a transponder, capable of facilitating wireless communications with the host 12. Whereas a

physical connection with a key 10 may implement the Windows plug-and-play interface, a

wireless device 10C may incorporate an automatic detection or sensing technology, such as the

discovery process used by Bluetooth, which is well documented and available to those skilled in

the art").

The feature of the wireless component is a Bluetooth component and the

wireless application software stored in the memory component to install or to run on the

host computer is a Bluetooth application software would be obvious for the reasons

set forth in the rejection of claim 33.

Per claim 36:

The rejection of claim 33 is incorporated and further, Kouperchliak does not explicitly

disclose the wireless component is a WLAN component and the wireless application

software stored in the memory component for installing and or running on the host

computer is WLAN application software.

However, Shmueli discloses in an analogous computer system autorun the

wireless component is a WLAN component and the wireless application software stored

in the memory component for installing and or running on the host computer is a WLAN

application software (Shmueli paragraph [0033] "...smart card 10B may be a contact-

based or a contactless (wireless) smart card 10B capable of interacting with the host

12...FIG. 2C depicts a wireless communication device 10C, such as a transponder,

capable of facilitating wireless communications with the host 12...").

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to incorporate the method of autorun the wireless

component is a WLAN component and the wireless application software stored in the

memory component for installing and or running on the host computer is a WLAN

application software as taught by Shmueli into the method of automatic

software/driver installation of a stored within the device as taught by Kouperchliak.

The modification would be obvious because of one of ordinary skill in the art would

be motivated to autorun the wireless component is a WLAN component and the

wireless application software stored in the memory component for installing and or

running on the host computer is a WLAN application software to allow access and

control of the mobile device as suggested by Shmueli ((paragraph [0005]).

Per claim 37:

The rejection of claim 33 is incorporated and further, Kouperchliak discloses:

37. (New) The integrated circuit wireless device of claim 33 further

includes an external memory component and the integrated circuit wireless

device operable as an external memory storage device and an external wireless device

to the host computer (paragraph [0006] "...load primary function software which

performs the primary function from the USB device onto the computer host").

Per claim 38:

The rejection of claim 1 is incorporated and further, Kouperchliak does not explicitly

disclose the arbitrary software is a wireless software.

However, Shmueli discloses in an analogous computer system the arbitrary

software is a wireless software (paragraph [0033] "FIG. 2C depicts a wireless

communication device 10C, such as a transponder, capable of facilitating wireless

communications with the host 12").

The feature of the arbitrary software is a wireless software would be obvious

for the reasons set forth in the rejection of claim 1.

Per claim 39:

The rejection of claim 20 is incorporated and further, Kouperchliak discloses:

39 (New) The integrated circuit memory device of claim 20 further

comprising a USB hub for enabling interface with one or more functional devices

(paragraph [0006] "...load primary function software which performs the primary

function from the USB device onto the computer host").

Per claim 40:

The rejection of claim 39 is incorporated and further, Kouperchliak does not explicitly

disclose the USB hub includes one or more downstream ports and the ports is

connected to one or combination of an external memory component, a Bluetooth

component, and a WLAN component (paragraph [0033] "FIG. 2C depicts a wireless

communication device 10C, such as a transponder, capable of facilitating wireless

communications with the host 12. Whereas a physical connection with a key 10 may implement

the Windows plug-and-play interface, a wireless device 10C may incorporate an automatic

detection or sensing technology, such as the discovery process used by Bluetooth, which is well

documented and available to those skilled in the art").

However, Shmueli discloses in an analogous computer system the USB hub

includes one or more downstream ports and the ports is connected to one or

combination of an external memory component, a Bluetooth component, and a WLAN

component (paragraph [0033] "FIG. 2C depicts a wireless communication device 10C, such

as a transponder, capable of facilitating wireless communications with the host 12. Whereas a

physical connection with a key 10 may implement the Windows plug-and-play interface, a

wireless device 10C may incorporate an automatic detection or sensing technology, such as the

discovery process used by Bluetooth, which is well documented and available to those skilled in

the art").

The feature of the USB hub includes one or more downstream ports and the

ports is connected to one or combination of an external memory component, a

Bluetooth component, and a WLAN component would be obvious for the reasons set

forth in the rejection of claim 33.

Conclusion

17.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to **Satish S. Rampuria** whose telephone number

is **(571) 272-3732**. The examiner can normally be reached on **8:30 am to 5:00 pm**

Monday to Friday except every other Friday and federal holidays. Any inquiry of a

general nature or relating to the status of this application should be directed to the

TC 2100 Group receptionist: 571-272-2100.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, **Wei Y. Zhen** can be reached on **(571) 272-3708**. The fax

phone number for the organization where this application or proceeding is assigned

is **571-273-8300**.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Satish S. Rampuria
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Art Unit 2191   PRIMARY EXAMINER